



In the Matter of:

KENNETH DOBREUENASKI,

ARB CASE NO. 97-125

COMPLAINANT,

(ALJ CASE NO. 96-ERA-44)

v.

DATE: July 28, 1997

ASSOCIATED UNIVERSITIES, INC.,

RESPONDENT.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**NOTICE OF REVIEW
AND
ORDER ESTABLISHING BRIEFING SCHEDULE
AND
PRELIMINARY ORDER**

The Interim Recommended Decision and Order issued May 1, 1997 and the Final Recommended Decision and Order (R. D. and O.) issued on July 10, 1997 by the Administrative Law Judge (ALJ) have been transmitted to the Board for review. The following briefing schedule is established in this case. Respondent may file an initial brief, not to exceed 30 double spaced typed pages, on or before **August 28, 1997**. Complainant may file a reply brief, not to exceed 30 double spaced typed pages, on or before **September 29, 1997**. Respondent may file a rebuttal brief, exclusively responsive to the reply brief and not to exceed 10 double spaced typed pages, on or before **October 14, 1997**.

All pleadings are expected to conform to the page limitations and should be prepared in Courier 12 point, 10 character-per-inch type or larger, with minimum one inch left and right margins and minimum 1¼ inch top and bottom margins, printed on 8½ by 11 inch paper.

An original and four copies of all pleadings and briefs shall be filed with the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room S-4309, Washington, D.C., 20210 (Telephone Number, 202-219-4728; Facsimile Number, 202-219-9315).

PRELIMINARY ORDER

As noted, on May 1 and July 10, 1997, the ALJ issued Interim and Final R. D. and O.'s. in this case arising under the Energy Reorganization Act of 1974 (ERA), 42 U.S.C. § 5851 (Supp. IV 1992), as amended by the Comprehensive National Energy Policy Act of 1992 (CNEPA), Pub. L. No. 102-486, 106 Stat. 2776, 3123. The Interim R. D. and O. found in favor of Complainant being compensated for lost wages. The Final R. D. and O. found in favor of the Complainant's petition for attorney's fees and costs.

The following preliminary order is hereby entered:

1. Respondent shall pay Complainant the sum of \$168.00 for wages lost as a result of retaliatory demotion.
2. Respondent shall pay \$33,770.75 in attorney's fees and \$5,584.00 in costs and disbursements to Complainant's Counsel .

SO ORDERED.

DAVID A. O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate Member